

Message Text

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 6531

C O N F I D E N T I A L SAN JOSE 1075

EXDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: COSTA RICAN EXTRADITION BILL

REF: STATE 52873

1. I CALLED ON PRESIDENT FIGUERES LAST EVENING,

MARCH 18, TO REVIEW WITH HIM IN DETAIL USG OBJECTIONS TO PROPOSED EXTRADITION LAW PER REFTEL. I REPEATEDLY EMPHASIZED OUR CONCERN OVER THE FEATURES OF THE BILL WHICH ARE TAILOR-MADE FOR VESCO AND STRESSED THE ADVERSE IMPACT IT WOULD HAVE IN U.S. I CALLED HIS ATTENTION TO THE IMPLICATIONS OF THE BILL FOR OTHER AREAS OF INTERNATIONAL CONCERN, INCLUDING NARCOTICS AND HIJACKING. I ALSO ASKED AGAIN ABOUT THE SIGNIFICANCE OF THE BILL FOR OUR PRESENT EXTRADITION TREATY AND THE PROPOSED NEW ONE. AT THE PRESIDENT'S REQUEST, I LEFT WITH HIM FOR FURTHER STUDY MY DETAILED NOTES BASED ON REFTEL.

2. THE PRESIDENT WAS NONCOMMITAL, BUT PROMISED TO CONSIDER MY DEMARCHE CAREFULLY AND TO CONSULT FURTHER WITH HIS LAWYER AND POLITICAL ASSOCIATES. I DONT THINK THAT HE WAS IMPRESSED AT ALL BY OUR PROTESTATIONS ON VESCO, BUT THE POINTS ON THE BILL'S EFFECTS IN OTHER AREAS SUCH AS NARCOTICS AND HIJACKING DEFINITELY CAUGHT HIS ATTENTION. HE DID ASSURE ME THAT ACCORDING TO GOCR LAWYERS THERE IS NO QUESTION OF THE PRIMACY OF AN EXTRADITION TREATY OVER THE NEW
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LAW EVEN IF THE LATTER SHOULD BE ENACTED. HE WOULD NOT COMMENT,

HOWEVEVER, ON THE CLIMATE FOR NEGOTIATION OF A NEW TREATY.

3. MEANWHILE, DANIEL ODUBER RETURNED TO SAN JOSE YESTERDAY AND IMMEDIATELY TOOK TO HIS BED WITH A HIGH FEVER. I WAS INFORMED THAT IT WILL NOT BE POSSIBLE FOR ME TO SEE HIM BEFORE WEDNESDAY MORNING AT THE EARLIEST. I DO NOT KNOW WHETHER THIS IS A "DIPLOMATIC ILLNESS", BUT I BELIEVE IT IS NOW PROBABLY TOO LATE TO ACCOMPLISH MUCH THROUGH HIM ON THIS BILL. I WILL STILL PRESS TO SEE HIM, HOWEVER.

4. THERE IS SOME CHANCE IN THE WAKE OF OUR EFFORTS AND THE CONTINUING DRUMFIRE OF CRITICAL PRESS COVERAGE OF THE BILL THAT IT WILL BE KILLED OR FURTHER DELAYED BY REFERRAL TO COMMITTEE WHEN IT COMES UP FOR THIRD AND FINAL READING TOMORROW AFTERNOON. IF IT PASSES, OUR ONLY RECOURSE WOULD BE A FINAL REPRESENTATION TO THE EXECUTIVE TO VETO, AND I SEE LITTLE HOPE OF SUCCESS IN THAT ENDEAVOR. IT WOULD BE VERY HELPFUL, HOWEVER, TO HAVE ANY FURTHER AMMUNITION THAT THE DEPARTMENT CAN PROVIDE AFTER STUDYING THE FULL TEXT, PARTICULARLY ON MULTILATERAL IMPLICATIONS OTHER THAN VESCO LIKE THE NARCOTICS AND HIJACKING PROBLEMS. IT MIGHT ALSO BE HELPFUL TO GENERATE DISCREETLY U.S. PRESS COMMENT CRITICAL OF THE BILL IF IT PASSES. WE HAVE DONE WHAT WE CAN FROM HERE BUT SO FAR HAVE SEEN ONLY ONE PIECE IN YESTERDAY'S MIAMI HERALD.

5. FINALLY, IT IS INTERSTING TO SPECULATE ON POSSIBLE NEXT STEPS IN THE VESCO SAGA SHOULD THIS BILL BECOME LAW. A LOGICAL ONE, ALTHOUGH I DO NOT YET KNOW WHETHER IT WOULD BE POLITICALLY FEASIBLE FOR FIGUERES TO TAKE THIS STEP, WOULD BE TO DENOUNCE THE EXTRADITION TREATY WITH THE U.S. IN ORDER TO LEAVE THE LAW SUPREME.
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